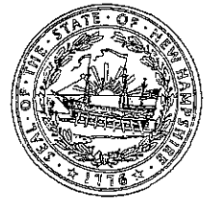




The State of New Hampshire
Department of Environmental Services
Waste Management Council

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095
Appeals Clerk Telephone (603) 271-6072 - TDD Access: Relay NH 1-800-735-2964
DES Website: www.des.nh.gov - Council Website: www.des.state.nh.us/councils/



April 8, 2004

Gregory H. Smith, Esq.
McLane, Graf, Raulerson & Middleton, P.A.
15 North Main Street
Concord, NH 03301-4945

Re: Docket No. 04-10 WMC – 5N Associates Appeal

Dear Attorney Smith:

The notice of appeal of the Department of Environmental Services, Waste Management Division, Groundwater Management Permit Conditions, Permit No. GWP 198805019-H-001, which you filed on behalf of 5N Associates, was received in my office on April 6, 2004, and has been assigned Docket No. 04-10 WMC. Please refer to this docket number in all future correspondences relative to this matter. I have forwarded your petition to the NH Waste Management Council ("the Council"), which I expect will decide to accept or dismiss the appeal at its next regular meeting, currently scheduled for April 22, 2004 at 10:00am in Rooms 112-114 of the offices of the Department of Environmental Services, 29 Hazen Drive, Concord, NH.

Any document filed with the Council in conjunction with this appeal shall be filed by mailing or delivering the original and 20 copies of the document to the Council Appeals Clerk. Additionally, a copy of the document must be sent to all parties who have filed an appearance with the Council, and to any person who has a motion to intervene pending before the Council. Every document filed with the Council, and required to be served upon the parties to the appeal, shall be accompanied by a certificate of service, signed by the person making service, attesting to the method and date of service, and the persons served.

If you have any questions, please contact me at (603) 271-6072 or by e-mail at msclafani@des.state.nh.us.

Sincerely,


Michael Sciafani, Appeals Clerk
NH Waste Management Council

cc: NH Waste Management Council
Michael P. Nolin, Commissioner, DES
Anthony P. Giunta, P.G., Director, Waste Management Division
Mark R. Harbaugh, DES Legal Unit
Carl W. Baxter, P.E., Administrator, DES WMD